



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

William J. KOHR et al.

Serial No.: 10/086,647

Filed: February 28, 2002

For: HIGH TEMPERATURE HEAP
BIOLEACHING PROCESS

Group Art Unit: 1742

Examiner: Tima M. McGuthry-Banks

7/12/03
03/12/03

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RESPONSE TO OFFICE ACTION

Commissioner for Patents
Washington, D.C. 20231

Sir:

The present paper is responsive to the August 30, 2002 Office Action in the above-identified application. Applicant has petitioned for a three (3) month extension of time, hereby extending the deadline for responding to the Office Action to February 28, 2003.

In the outstanding Office Action, claims 1-22 and 27 of the present application stand rejected under the judicially created doctrine of obviousness-type double patenting over claims 1-33 of U.S. Patent No. 6,110,253. In response to the double patenting rejection, and without admitting the propriety of the rejection, the assignee, GeoBiotics, LLC, is filing herewith a terminal disclaimer over U.S. Patent No. 6,110,253.

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CERTIFICATE OF MAILING
(37 C.F.R. §1.8a)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as First Class Mail in an envelope addressed to the Commissioner for Patents, Washington D.C. 20231.

February 28, 2003

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LAI-2034439v1

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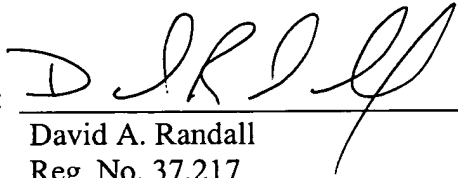
Signature of Person Mailing Paper

In view of the foregoing, reconsideration and allowance of this application are earnestly solicited.

Respectfully submitted,

JONES DAY

Dated: February 28, 2003

By: 
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